

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WAYNE A. SMITH,	:	
Petitioner,	:	1:16-cv-0362
	:	
v.	:	Hon. John E. Jones III
	:	
JAMES T. TICE, <i>et al.</i> ,	:	
Respondents.	:	

**ORDER**

**September 16, 2016**

NOW THEREFORE, upon consideration of the petition for writ of habeas corpus (Doc. 1), and in accordance with the Court's Memorandum of the same date, it is hereby ORDERED that:

1. The petition for writ of habeas corpus (Doc. 1) pursuant to 28 U.S.C. § 2254 is DISMISSED as time-barred by the statute of limitations. *See* 28 U.S.C. § 2244(d).
2. There is no basis for the issuance of a certificate of appealability. 28 U.S.C. § 2253(c).
3. The Clerk of Court is directed to CLOSE this case.

s/ John E. Jones III  
John E. Jones III  
United States District Judge